



#4

RESPONSE - NOTICE
OF MISSING PARTS
PATENT

Our File No.: A32774-PCT-A-USA - 065268.0167

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Georges Baikoff et al.
Serial No. : 09/833,958 Examiner: (to be assigned)
Filed : April 12, 2001 Group Art Unit: (to be assigned)
For : SCLERAL EXPANSION SEGMENT

**RESPONSE TO NOTIFICATION OF MISSING
REQUIREMENTS UNDER 35 U.S.C. 371**

BY EXPRESS MAIL - LABEL NO. : ET346779210US

May 17, 2002

Assistant Commissioner for Patents
Box Missing Parts
Washington, DC 20231

Sir:

Responsive to a Notification of Missing Requirements Under 35 U.S.C. 371 dated June 5, 2001, a copy of which is enclosed, and pursuant to the accompanying Petition to Reset Time Period is a Combined Declaration and Power of Attorney document referring to the above-identified application by one or more of the following in compliance with 37 C.F.R. 1.63:

- ☒ [X] Name of inventor and application serial number;
- ☒ [X] Name of inventor, attorney docket number which was on the application as filed, and filing date of the application;
- ☒ [X] Name of inventor, title of invention and filing date;
- ☐ [] Name of inventor, title of invention and reference to a specification which is attached to the oath or declaration at the time of execution and filed with the oath or declaration;
- ☐ [] Name of inventor, title of invention. As presently advised, the undersigned, a registered attorney, states that the application filed in the PTO is the application which the inventor executed by signing the oath or declaration.

Fee Calculation:

1. ☒ A fee payment in the amount of \$ 130.00
☒ \$130 - Other than Small Entity
☐ \$ 65 - Small Entity
representing payment of the surcharge
due for late filing of the Declaration
pursuant to 37 C.F.R. 1.16(e);
2. ☐ A three month extension of time to file the Response
to Missing Parts is respectfully requested.
The required fee, calculated pursuant to
1.136(a), is enclosed in the amount of \$ _
3. ☐ Other: \$

TOTAL FEE	<u>\$130.00</u>
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Enclosed is a check for \$130.00 in payment of the above-specified fees.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication to our Deposit Account No. 02-4377. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

BAKER BOTTS L.L.P.

Anthony Fiore

Anthony Giaocio
Patent Office Reg. No. 39,684

Attorney for Applicants
(212) 408-2500

Enclosure

#4



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/833,958	04/12/2001	Georges Baikoff	32774 PCT A USA

CONFIRMATION NO. 3818

FORMALITIES LETTER



OC000000006141669

BAKER BOTTS L.L.P.
44TH FLOOR
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112-0228

Date Mailed: 06/05/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY

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130.00 OP

04/12/05